

REMARKS

The allowability of claims 4, 16 and 19-21 is still acknowledged appreciatively.

The new issue found by the deletion of "ensure the" from the control claimed is retained in claim 1, whereby the next Action, if not the allowance requested, cannot be final.

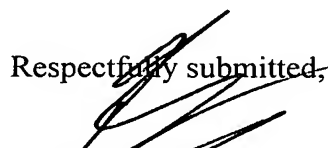
While there are new issues in claim 1, such is not the case in claim 2, where pressure is provided for the control.

In our opinion Baro, et al. (US 4,399,809 A) does not anticipate the present invention nor make it obvious. Narrowing of the artificial sphincter according to the Baro, et al. reference must be manually induced via conduit (4), for instance with a suction-impeller pump (s. column 3, lines 49-51 of Baro, et al.). In contrast to this state of the art the gastric band according to the present patent application automatically adjusts the stoma restriction by a displacement of the liquid between two or more chambers ". . . in a manner to insure the controlling of the stoma restriction. . . . "

The controllable gastric band according to the present patent application includes one liquid circulation (s. embodiment 1 according to claim 1) or a double circulation system (s. embodiment 2 according to claim 2). Such a liquid displacement is not present in the embodiment according to Baro, et al.

Reconsideration and allowance are, therefore, requested.

Respectfully submitted,



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